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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/925,497	08/10/2001	Hsiang Min Wu		2822

7590 03/25/2004

Hsiang Min Wu
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Taipei,
TAIWAN

EXAMINER

HAILU, TADESSE

ART UNIT	PAPER NUMBER
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2173

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DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/925,497

Applicant(s)

WU

Examiner

Tadesse Hailu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is in response to the patent application number (09/925,497) filed on August 10, 2001.

Status of the claim

2. The pending claim 1 is examined as follow.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitations "the films" in 10, "the presence" in line 14, "the sequent number" in line 17, "the number" in line 18, "the computer" in line 19, "the data file" in line 19, "the computer disk" in line 20. There are insufficient antecedent basis for these limitations in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Capps et al (US 2002/0082730 A1) in view of Geagan, III et al (US 6,263,371).**

The present invention is directed to automatic and repeated playing of a audio-video film in a course of browsing a web page without re-downloading of a audio-video film from the Internet. Similarly, Cappy et al (hereinafter "Cappy") discloses a universal media player that allows a user to navigate between different sources of media without requiring the downloading of the media player associated with the format of the media source.

With regard to claim 1:

Cappy et al (hereinafter "Cappy") relates to multimedia players for online Internet use. Accordingly Cappy discloses a universal media player designed to improve a user's online media experience that is embedded in an Internet web browser (see the screen shots Figs. 12-17). The displayed audio-video media (or film) in a web page is illustrated in Figs. 15, #1510, Fig. 17A and 17B, #1706).

Cappy also discloses providing audio-video media Figs. 15, #1510, Fig. 17A and 17B, #1706) produced by any users by means of any one of digital recording means

As illustrated in Fig. 2, a decoder type is instantiated according to the MIME type of the downloading compressed audio-video file

As illustrated in Figs. 15, #1510 and Fig. 17A, #1706 and 17B, #1706, Cappy also discloses (see [0087]) a designed web page with space reserved for the embedded universal media player displaying the audio-video film or a linkage (figs, 15, #1506).

Cappy then enables user to browse the web page and launch an available media player for playable media available (see [0083], [0086], [0088]).

Cappy also discloses detecting a media player of the audio-video film (see [0051-0052], Cappy further discloses that if a media player is not available downloading the media player ([0051]).

Furthermore, Cappy discloses that if the media player is available, the identified MIME type (media format) is compared for similarity to playable MIME types stored in a look-up table. If there is no similarity, the audio-video film will be downloaded otherwise the audio-video film will be playing (see [0038], [0042], [0051-0054]).

While Cappy discloses detecting a media stream downloaded and comparing media format (MIME type) with stored playable media format ([0052-0054], but Cappy does not explicitly disclose detecting the sequent number of the audio-video film to check whether the number is similar to that stored in the computer.

Geagan, III et al ("Geagan") discloses identifying characteristics (sequence numbers) of a data streams received from a source; and Geagan further discloses examining the sequence number and comparing against sequence number counter value (Fig. 6, column 13, lines 6-19).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the detecting means of Cappy with the examining sequence number of stream content of Geagan to provide a guaranteed or in-sequence number

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that can be used to detect missing packets and to reconstruct an original transmission sequence (see Geagan, column 2, lines (column 13, lines 35-65).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 6:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, John Cabeca, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51.

6. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu

A handwritten signature in black ink, appearing to read 'Tadesse Hailu', with a stylized flourish at the end.

March 19, 2004